



**BellSouth Telecommunications, Inc.**  
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**Guy M. Hicks**  
General Counsel

615 214-6301  
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December 27, 2000

**VIA HAND DELIVERY**

Mr. David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

Re: *Telephone Number Pooling*  
Docket No. 00-00851

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Motion for Partial Reconsideration. Copies of the enclosed are being provided to counsel of record.

Very truly yours,



Guy M. Hicks

GMH/jem

Enclosure

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE: )  
 )  
TELEPHONE NUMBERING POOLING ) DOCKET NO. 00-00851  
 )  
 )

**BELLSOUTH'S MOTION FOR PARTIAL RECONSIDERATION**

In its December 12, 2000 Order reflecting the Authority's deliberations during the Conference on September 26, 2000 in this docket, this Authority took steps to promote the efficient use of numbering resources and to reduce the depletion of the 615 and 901 area codes. BellSouth Telecommunications, Inc. ("BellSouth") fully supports the preservation of numbering resources, and it has no overarching objection to the steps that the Authority has ordered to fulfill that goal.

There are, however, several technical issues that require slight modifications of the December 12 Order with respect to BellSouth's implementation dates. BellSouth seeks reconsideration only so that the Authority can make the minor changes necessary to address those technical issues, which BellSouth was not able to bring to the Authority's attention before issuance of the Order. Importantly, as demonstrated by the data compiled by Telcordia, the independent Numbering Administrator chosen by this Authority, *BellSouth's requests should not affect the availability of numbering resources in Tennessee.*

First, because of issues beyond its control, BellSouth will not be able to install certain Telcordia software necessary to support thousand-number (or "1K") pooling in the 615 area code by the March 1, 2001, implementation date established by the Authority. Although BellSouth has pushed hard to expedite deployment of this software in Tennessee, limitations on the joint

BellSouth-Telcordia implementation team and the lack of certain necessary hardware that is on back-order from the vendor will still prevent BellSouth from meeting the March 2001 implementation date. Moreover, Lucent Technologies ("Lucent") will not be able to provide the software upgrades necessary to permit BellSouth's 5ESS switches to support 1K number pooling until late April 2001. Because of these issues, BellSouth requests that the Authority change the implementation date for BellSouth to implement 1K pooling in the 615 area code by approximately 2 months, to May 4, 2001.

BellSouth also seeks a waiver/extension of the implementation of 1K pooling as to a few switches in the 615 and 901 area codes. Siemens, the maker of the two DCO switches in the 615 area code, will not make 1K number pooling software available until at least November 2001 (its current "target" date). To avoid network reliability problems, BellSouth will then need to test that product before installing it in its network. BellSouth thus seeks an extension until March 31, 2002 as to those two switches. Finally, Lucent is not creating 1K number pooling software for the two 1AESS switches that BellSouth has in the 615 and 901 area codes; BellSouth thus seeks a waiver of pooling as to those two switches.

**I. OBSTACLES BEYOND BELL SOUTH'S CONTROL PREVENT BELL SOUTH FROM IMPLEMENTING 1K POOLING BEFORE MAY 4, 2001.**

BellSouth is committed to implementing 1K pooling in the 615 area code as soon as possible. As this Authority recognized in its December 12 Order, however, 1K number pooling involves a series of technical challenges, and implementation of such pooling is necessarily dependent on the availability of new technology. *See* December 12 Order at 13 (making March 1, 2001 date contingent on availability of certain pooling software). Despite BellSouth's extensive efforts, two such technical issues, each of which is beyond BellSouth's control, make

May 4, 2001 the earliest possible date that BellSouth can implement 1K number pooling in the 615 area code.<sup>1</sup>

The first technical issue involves the need to install Telcordia's "SWITCH" software to replace the outdated Telcordia COSMOS product currently employed by BellSouth. Both these programs maintain records of the telephone numbers and equipment assigned to each circuit in the network. Unlike the more modern SWITCH program, however, the older COSMOS system was not designed to work with number pooling and will not prevent the incorrect assignment of a telephone number within a donated 1K block. This limitation could lead to the double assignment of a telephone number, which could significantly and detrimentally affect service to end-users. *See* Minutes of Oct. 27 Telcordia Meeting at 4 (BellSouth representative explains that SWITCH is necessary for number pooling). Because SWITCH does not have this problem, and because it contains a number of other operational enhancements, BellSouth is deploying it throughout its region.

BellSouth has worked very hard to have Telcordia install SWITCH in Tennessee as soon as possible. Originally, deployment in Tennessee was to occur only after deployment in Florida, Georgia, and North Carolina. However, in early September 2000, at the request of BellSouth

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<sup>1</sup> BellSouth raises these issues in this motion because the Authority did not provide it with any prior opportunity to explain the technical problems that prevent BellSouth from meeting a March 2001 implementation date. Before deliberating on September 26, 2000, the Authority did not solicit industry comment on the technical hurdles that must be cleared before 1K number pooling could be implemented on any specific date. Telcordia, however, did hold a First Implementation Meeting on October 27, 2000. At that meeting, BellSouth expressly warned that technical issues would prevent it from meeting the March 2001 implementation date. *See* Minutes of First Implementation Meeting of Telcordia on Thousand Block Pooling in NPA 615 at 4 (Oct. 27, 2000) ("Minutes of Oct. 27 Telcordia Meeting") (attached as Exhibit "A"). TRA staff members attended that meeting and stated that "BellSouth would have to make a formal filing with the Authority for any exceptions for technical reasons after the order has been released." *Id.* By filing this motion, BellSouth is heeding that advice.

personnel in Tennessee, the regional implementation team moved implementation in Tennessee ahead of both Georgia and North Carolina. *See id.* (explaining that BellSouth had moved up Tennessee implementation of SWITCH). Then, after this Authority announced on September 26, 2000, that it intended to implement 1K number pooling, BellSouth Tennessee personnel sought to expedite SWITCH conversion even further. However, because of the need to obtain hardware that is currently on back-order from the vendor and because of prior regulatory orders in other states, the earliest that BellSouth and Telcordia can begin deploying SWITCH in Tennessee is March 26, 2000 -- even to accomplish that, moreover, the regional team will have to interrupt its SWITCH installation in Florida before it is complete in that state. As a result of all these efforts to expedite the process, the SWITCH installation will be completed much more quickly than originally planned, but still no sooner than April 9, 2001.

A separate problem also will prevent BellSouth from meeting the March 1, 2001 implementation date. BellSouth currently has twelve Lucent 5ESS switches operating in the 615 area code. The software on those switches does not support 1K number pooling. Rather, to support that innovation, these Lucent switches must obtain an upgrade to Lucent's 5E14 version of the switch operating software. *See id.* (explaining that "number pooling is not supported by the generic version of the software on some of the 5ESS switches" in BellSouth's network). Only the 5E14 software includes Lucent's "1000 Block Number Pooling Using Number Portability" Feature (Feature Number 99-5F-7210). As the attached e-mail from Lucent's product manager demonstrates, Lucent cannot commit to bringing all these 5ESS switches "up

on 5E14 and Number Pooling" before "April 27, 2001."<sup>2</sup> Again, the problem delaying implementation here stems from the lack of availability of a product from a third-party vendor, an issue that is beyond BellSouth's control.

Crucially, while these problems require a slight modification of the implementation schedule, that modification should not threaten the status of number resources in the 615 area code. As demonstrated by the attached document from a representative of Telcordia, the Authority's chosen Interim Numbering Administrator, currently available data indicate that there is only *one* rate center (Portland) in which number demand may exceed supply between March 1, 2001 and May 4, 2001. *See* E-mail from Adam C. Newman, Senior Pooling Administrator, Telcordia Technologies, to Paul Stinson, BellSouth Telecommunications, Inc. (Dec. 21, 2000) (attached as Exhibit "C").<sup>3</sup> Telcordia has not identified any other place in the 615 area code where this short delay is likely to raise an issue. BellSouth will cooperate fully with the Authority and the Administrator to resolve any problems that arise in the single location where Telcordia forecasts that problems may arise during the brief period at issue here.

A final point should also be noted in considering BellSouth's request for a minor adjustment to the implementation schedule set by the Authority's December 12 Order. As the Authority is well aware, it has power to regulate in this area only to the extent that it has received a delegation of regulatory authority from the FCC. Under the FCC's orders, such a delegation

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<sup>2</sup> E-mail from Becky H. Scheinert, Account Manager, Lucent Technologies, to Bernard Sparks, BellSouth Telecommunications, Inc. (attached as Exhibit "B"). As the same e-mail notes, these switches will first receive the 5E13 upgrade before they receive the 5E14 upgrade that includes the required feature for 1K number pooling. *See id.* These sequential upgrades are required by the vendor.

<sup>3</sup> The assessment referred to and attached to that email contains BellSouth proprietary material. BellSouth, however, would be happy to make that assessment available for inspection by the Authority on request.

may only be made after the Authority files a request establishing that certain federal standards have been met. See Report and Order and Further Notice of Proposed Rulemaking, *Numbering Resource Optimization*, 15 FCC Rcd 7574, 7651-53, ¶¶ 169-171 (2000). As of this writing, the Authority has received such a delegation only as to the 901 area code, *not* as to 615. See Order, *Numbering Resource Optimization*, CC Docket 99-200, DA 00-1616, 2000 FCC LEXIS 3752, at 51-52, ¶ 47 (FCC rel. July 20, 2000). Notwithstanding that the Authority has not yet received a proper delegation of power from the FCC as to the 615 area code, BellSouth has proceeded in good faith since September 26, 2000, the date of the Authority's deliberations, to implement the Authority's decisions. Of course, however, the December 12 Order cannot be implemented lawfully unless and until this Authority obtains that delegated power.

## **II. LIMITATIONS INHERENT IN A FEW PIECES OF OLDER EQUIPMENT REQUIRE DELAY AND/OR WAIVER OF 1K POOLING IN SEVERAL AREAS WHERE NUMBER RESOURCES ARE NOT BEING DEPLETED.**

In a few limited instances, BellSouth cannot implement 1K number pooling because its current switches will not support that innovation and the upgrades necessary will either not be made available from the vendor at all or will only be in BellSouth's network in early 2002.

First, BellSouth has two Siemens DCO switches in the 615 area code, one in Charlotte and one in White Bluff. As the attached letter demonstrates, Siemens is currently developing the software necessary to support 1K number pooling for those switches and will not make that software available until at least November 2001 (the current "target" date). See E-mail from John Thorson, Senior Product Manager, Siemens, to Brenda Davidson, BellSouth Telecommunications, Inc. (Nov. 8, 2000) (attached as Exhibit "D"). Consistent with prudent industry practice, BellSouth would then have to test that new software to ensure that it will not cause network reliability problems before the software is placed into the network. That should

take approximately four months. Accordingly, BellSouth requests that the Authority waive the 1K number pooling obligations as to these two switches until March 31, 2002. This date is, of course, contingent upon the vendor meeting its "target" date for software availability.

BellSouth also has one 1AESS switch in the Nashville Inglewood wire center and one 1AESS in the Memphis Westwood wire center. The 1AESS switches suffer from a number of technical limitations -- they can support only a limited number of NPA-NXX combinations; they cannot distinguish between ported and unassigned numbers; and they cannot distinguish between pooled out and reserved numbers with normal provisioning during call processing. Accordingly, these switches cannot currently support 1K pooling. Lucent, moreover, has confirmed that it will not develop number pooling capability for the 1AESS switch that supports 1K number pooling (indeed, it is generally not creating any new products for this switch). *See* E-mail from Becky H. Scheinert, Account Manager, Lucent Technologies (attached as Exhibit "E").

This single 1AESS switch in the 615 area code -- which is scheduled to be replaced in 2003 -- is in an area where Telcordia's analysis (which BellSouth will make available to the Authority on request) indicates that an exemption will not adversely affect the availability of number resources in the 615 area code.<sup>4</sup> For that reason, BellSouth asks that these two switches be exempted from the number pooling obligations established by the December 12 Order. *See* Interim Order, *Lockheed Martin IMS Petition for Approval of NPA Relief Plans for the 312, 630, 708 & 773 NPAs*, No. 98-0847, at 13 (Ill. Commerce Comm'n June 30, 1999) ("The Commission also grants Ameritech's request for an exemption from number pooling for its 1AESS switches. In light of the fact that the problems outlined by Ameritech cannot be fixed, the Commission has

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<sup>4</sup> Although the Pooling Administrator has not yet conducted a pooling assessment for the Memphis Rate Center in the 901 area code, the Westwood 1AESS is one of several switches in the Memphis Rate Center. Therefore, we would expect that exempting the Westwood 1AESS would have little or no impact on number resources in this Rate Center.



no other choice. We agree with Ameritech that the exemption would have minimal impact on number pooling.") (attached as Exhibit "F").

### CONCLUSION

For the foregoing reasons, the Authority should move the implementation date for BellSouth's participation in 1K number pooling in the 615 area code to May 4, 2001. The Authority should also exempt BellSouth's DCO switches from number pooling obligations until March 31, 2002, and exempt BellSouth's two 1AESS switches from number pooling obligations until they are replaced in 2003.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, Tennessee 37201-3300  
(615) 214-6301

240827

**EXHIBIT "A"**



*Performance from Experience*

**FIRST IMPLEMENTATION MEETING  
THOUSAND BLOCK POOLING IN NPA 615  
NASHVILLE, TENNESSEE  
OCTOBER 27, 2000**

**PARTICIPANTS:**

Eddie Roberson, Tennessee Regulatory Authority  
Lewis DeBoard, Tennessee Regulatory Authority  
Jeff Fox, BellSouth  
Fredrick Gamble, WorldCom  
Anne Henderson, AT&T  
Charlie Howorth, BellSouth  
Jerry Jones, BellSouth  
Lynn Kirshner, Telcordia  
Paul La Gattuta, AT&T  
Scott Ludwikowski, Sprint Communications  
Adam Newman, Telcordia  
Tony Pupek, Telcordia  
Amy Putnam, NeuStar  
Brent Struthers, NeuStar  
Kathy Rogers, Verizon  
Paul Stinson, BellSouth  
Kathleen Tedrick, Sprint  
Anne Walker, Telcordia

**PARTICIPANTS BY CONFERENCE BRIDGE:**

Sheryl Conte, BroadRiver Communications  
LeRoy Crosby, ITC DeltaCom  
Mike Batis, Teletouch Communications  
Richie Hughes, DeKalb Telephone  
Cindi Kinney, ICG  
Roberta Korfin, Telcordia  
Bea McCoy, US LEC  
Johnny McClanahan, North Central Telephone Cooperative  
Chris Miller, ICG  
Teresa Rockwell, BellSouth  
Bill Shaughnessy, BellSouth

Janet Simmons, TriVergent  
Gary Slawsky, Telcordia  
Dana Smith, Verizon Wireless  
Kara Williams, USNET  
Y. Elanor Willis-Camara, Winstar

1. Eddie Roberson, Tennessee Regulatory Authority (TRA) opened the meeting and thanked the attendees for their participation. He stressed that number pooling is an important issue in Tennessee due to the exhaust of area codes. He pointed out that the citizens of Tennessee had asked their legislators to take steps to better conserve numbers. The TRA responded by issuing an order, which is currently being finalized, for the implementation of number pooling in area code 615, which will be extended to area code 901 at a later date. Eddie advised that Telcordia Technologies has been selected as the Pooling Administrator.
2. A question was asked as to whether approval of the TN supplemental filing with the FCC has been granted, and Eddie advised that the FCC has told the TRA to proceed with number pooling and approval would be forthcoming.
3. Paul La Gattuta, AT&T, spoke briefly about the North American Portability Management Limited Liability Corporation (LLC). They are a group of industry service providers and are a legal entity that can sign a contract with any PA if requested. Paul pointed out that states have asked the LLC to negotiate contracts with their vendor of choice. Paul advised that he was present to represent that interest and was available to answer questions.
4. Adam Newman, Telcordia, reviewed the handouts. He pointed out that the dates in the Project Plan shown in Tab 2 were there to be placeholders and that the group would decide the actual dates. Adam asked for input to the list in Tab 3 showing the service providers listed in the LERG who have portable NPA/NXXs in 615 and Tab 4 showing the portable rate centers.
5. There was a discussion regarding the current general availability date for NPAC Release 3.0 for this region being February 5. Paul La Gattuta advised that the LLC is receiving updates today from the NPAC. Last week's status was that the northeast region date would slip to December 15. Neustar has advised that the dates will hold and that testing has started on the west coast. January 22 is the current GA date for the southeast region. 615 will be the third NPA for the southeast region implementing pooling in the first quarter 2001. There is to be one implementation per region per month according to the national rollout schedule. January 22 is the date for 954 in Florida and February 5 is the date for 561 in Florida.
6. Teresa Rockwell, BellSouth, advised that two additional MSAs have been ordered in Florida. On 10/20/00, the Florida PSC issued an Order (No. PSC-00-1937-PAA-TL) to implement 1-K pooling in the Daytona MSA (904 NPA) on 3/12/01 & Ft Pierce/Port St. Lucie MSA (561 NPA) on 4/30/01. Paul La Gattuta, AT&T, advised

that publicly the states have concurred with the rollout schedule and that he was not sure what was going on in Florida with these additional dates.

7. Paul Stinson, BellSouth, advised that BellSouth wanted the issue of cost recovery to be on the table as a concern. Eddie Roberson, TRA, stated this issue would be so noted.
8. Paul Stinson stated he also had issues with the scope of implementation. He asked if the pooling effort would include the entire 615 area or only the Nashville MSA. He stated he thought the FCC granted authority only on an MSA basis, and therefore, BellSouth is directing their planning activities in that area only. He added that Carthage and Hartsville rate centers are not included in BellSouth's planning as they are outside the Metro Area Calling zone for Nashville. The small fringe areas outside the MSA are also not included. Eddie Roberson advised this would be looked into. The group agreed that they would proceed with timeline planning and would schedule a conference call to discuss which specific rate centers would be affected.
9. Paul Stinson, BellSouth, raised the issue of contaminated blocks and stated that BellSouth would support the donation of contaminated blocks but not in the early phases. He said BellSouth would support the donation of uncontaminated blocks first and then would agree to the donation of contaminated blocks later in the process.
10. Eddie Roberson, TRA, stated that this might be an issue for ILECS only. He asked for comments from other service providers. Paul La Gattuta, AT&T, advised that in at least 3 states there is a staggered schedule. Contaminated blocks are identified early on but donation is delayed. The ILEC donates contaminated blocks at a later date. Paul stated this has not been a major problem. BellSouth stated they could support a staggered schedule.
11. Tony Pupek, Telcordia, stated that from a pooling administration perspective, the Pooling Administrator could accommodate any of these parameters. Eddie Roberson, TRA, asked BellSouth if their concern over this issue was based upon the extra cost BellSouth would incur by going after uncontaminated blocks. Jerry Jones, BellSouth, stated that it would take a massive amount of work to do this even on uncontaminated blocks. With the compressed time frames being discussed they do not see how they can do it.
12. Paul La Gattuta, AT&T, stated that he has advocated the donation of contaminated blocks on a staggered basis. He noted that the INC guidelines call for donation of both contaminated and uncontaminated blocks at the same time but he feels the industry could agree to staggering donations.
13. Eddie asked Paul Stinson for a date for the donation of uncontaminated blocks by BellSouth, and Paul said he would provide the date during the proposed conference call to be set up by Telcordia.

14. Paul Stinson, BellSouth, stated that in NPA 615 and 901 BellSouth has 1A switches which cannot support number pooling. The Nashville switch serves Inglewood and the Memphis switch serves Westwood. Lucent is the vendor and BellSouth has applied for an exemption for this problem in Florida.
15. Fred Gamble, WorldCom, asked whether blocks still could not be donated even though the provider was not participating in a particular area. Eddie Roberson, TRA, requested that BellSouth make a formal filing with the TRA and asked if the switches referred to were scheduled for replacement. BellSouth stated they would look into this issue.
16. Paul Stinson, BellSouth, stated that BellSouth has severe problems in meeting the March 1 date due to their efforts in the deployment of new SWITCH OSS software which is replacing COSMOS. The software has been delivered, but the scheduled implementation is in early April. BellSouth needs the SWITCH software deployed before number pooling can be supported. He added that number pooling is not supported by the generic version of the software on some of the 5ESS switches in their local networks. They are working on new switch software upgrades from Lucent. Paul proposed May 14 as the implementation date for number pooling in Tennessee. He further added that BellSouth has moved Tennessee up for SWITCH implementation after Florida and has advanced their schedule to move it up past other states.
17. Fred Gamble, WorldCom, asked BellSouth if they could still identify uncontaminated blocks even though they were not ready for pooling due to software constraints. It was requested that BellSouth identify their resources prior to the March 1 date so that numbers could be used during their lag time. Paul Stinson advised BellSouth would proceed with block identification and protection but could not start pooling on March 1. He added that BellSouth is committed to conserving numbering resources and cooperating with the TRA in participating as soon as possible.
18. Eddie Roberson, TRA, stated that the TRA will go forward with the March 1 date and BellSouth would have to make a formal filing with the Authority for any exceptions for technical reasons after the order has been released. BellSouth asked when the order would be released. Eddie Roberson replied that he was assured that it would be out sometime next week. BellSouth stated they could not agree to consensus of a schedule that was impossible for them to implement. Adam Newman, Telcordia, stated that the group could not seek a consensus on the March 1 date as it is a mandated date which must be accepted as an assumption. Eddie Roberson stated BellSouth could petition for relief but that the group would not develop a timeline other than one based on the March 1 implementation date.
19. The timeline intervals were discussed. It was initially agreed that the forecast report date, block identification date and the block protection date could be the same date. Paul Stinson, BellSouth, stated that BellSouth would like to see 66 days between the first implementation meeting and the forecast report date, as NPA 615 is twice the

size of anything BellSouth has undertaken and will therefore take a longer time. Bill Shaughnessy, BellSouth, objected to the forecast report, block identification and block protection dates being the same; he noted that the INC guidelines specifically left time between the tasks for verification work. It was noted that in several other states all or some of these dates were the same. Consensus was reached that the forecast report and block protection dates would be 12/4 but that the block identification date would be 12/11. BellSouth renewed its objection to agreeing to any dates for an implementation date of 3/1 that it can't meet.

20. The issue of separate dates for the donation of contaminated and uncontaminated blocks was discussed. It was pointed out that when the Pooling Administrator assesses the inventory, and it only includes uncontaminated blocks, the Pooling Administrator might need to apply to NANPA for additional codes. This could be avoided if the Pooling Administrator also had the contaminated blocks in the inventory. Several providers stated it was easier for them to identify and donate both types of blocks at the same time, but realized that for other companies this may not be the case. The consensus was to support staggered donation dates for those providers who needed it, but that all blocks to be donated (contaminated and uncontaminated) would be identified on the Block Identification Date. BellSouth advised they would not commit to any dates given their objection to the mandated implementation date.
21. Eddie Roberson, TRA, reiterated that the TRA has spoken on the need for donation of contaminated blocks. The objective is for conservation of numbers, and contaminated blocks are needed to conserve numbers. He requested that a date certain be set for the donation of contaminated blocks
22. Scott Ludwikowski, Sprint Communications, stated they objected to the two months extra time for the donation of contaminated blocks. However, consensus was considered to be reached. It was agreed that this issue would be revisited during the proposed conference call.
23. A concern was raised that there may not be enough uncontaminated blocks donated and that the PA may have to request new codes for the pool. A conference call two days after the Pool Assessment Date was set to discuss the need for additional (contaminated) donations before the Contaminated Block Donation Date.
24. The following timeline was agreed to pending any order on a BellSouth or other interested party's petition:

First Implementation Meeting -10/27/00  
Forecast Report Date-12/4/00  
Block Protection Date-12/4/00  
Block Donation Identification Date-12/11/00  
Pool Assessment Date -12/18/00  
Pool Assessment Conference Call - 12/20/00 (10 AM CST)  
Intra-service Provider Ports Completed - 2/17/01

Block Donation Date for Uncontaminated Blocks – 2/22/01

Pool Start Date 3/1/01

Block Donation Date for Contaminated Blocks – 5/1/01

25. Paul La Gattuta spoke briefly regarding the LLC and advised that their involvement is upon request. There was discussion that even though there will be no shared costs for pooling administration during this trial, terms and conditions would need to be worked out and agreements signed for the protection of all parties.
26. It was agreed that the most recent version of the INC guidelines would be used going forward.
27. Adam Newman, Telcordia, reviewed the rest of the handouts including the Service Provider next steps and the pooling forms. In particular he reviewed the forms for Block Donation/Identification and Forecast Report. All of the forms are available for download at [www.telcordia.com/tcnpa](http://www.telcordia.com/tcnpa) then clicking on forms. The Block Donation ID form and the Forecast Report Form should be downloaded in Microsoft Excel and e-mailed to [tcnpa@telcordia.com](mailto:tcnpa@telcordia.com) by the Block Donation ID Date and Forecast Report Date respectively. Adam also reviewed the some of the most important steps to avoid delays and other problems in implementing a pooling trial including: completion of intra-service provider ports, assuring block protection, completing SS7 point information accurately, completing NPAC testing on Release 3.0.



**EXHIBIT "B"**

From: bscheinert@lucent.com  
To: Sparks, Bernard; Collins, Clark; Turner, Richard  
Cc: crs99@lucent.com; jam@lucent.com  
Subject: 5E13/5E14 Generic Load Dates

Bernard,

Lucent has developed a schedule based on receiving orders for both 5E13 and 5E14 retrofits for all 13 offices by November 15th. This phased schedule loads 5E13 during January to early March, and will bring the offices up on 5E14 and Number Pooling between March 16 and April 27, 2001. Two of these offices require 3B20 to 3B21 processor upgrades which have to be completed prior to the 5E14 loads.

These dates are the best Lucent can commit to. If you have more questions, please give me a call at 205-560-2144.

Sincerely,

Becky H. Scheinert  
Account Manager - Lucent Technologies

-----Original Message-----

From: Bernard.Sparks1@bridge.bellsouth.com  
[mailto:Bernard.Sparks1@bridge.bellsouth.com]  
Sent: Monday, October 30, 2000 10:10 AM  
To: Scheinert, Becky H (Becky)  
Cc: Clark.Collins@bridge.bellsouth.com;  
Richard.E.Turner@bridge.bellsouth.com  
Subject: 5E13/5E14 Generic Load Dates

**EXHIBIT "C"**

-----Original Message-----

From: Adam C. Newman

To: paul.stinson@bellsouth.com

Sent: 12/21/00 11:25 AM

Subject: Initial Analysis of Pool Data with BellSouth Donation Plan

Paul:

Attached please see the PDF file with an analysis of the pool data in light of BellSouth's plan to donate non-contaminated blocks on 3/31 and contaminated blocks on 5/1. There is only one rate center that has forecasted demand and no blocks donated under the BellSouth plan, the Portland rate center. If the aggregated forecasts don't change significantly, the Portland rate center is the only one that is put in a precarious position and only for the first month since BellSouth does have 2 non-contaminated blocks in Portland which it will donate on 3/31. I can discuss the source and reasonableness of the forecasted demand in the Portland rate center with the TRA if required. The file also contains additional SP data that has been received since the call yesterday; that and the removal of the previously identified blocks in the 1AESS switch and the two Stromburg-Carlson BellSouth switches should reflect any differences in the Aggregated Donated Blocks between the data attached and the data discussed on the call yesterday. Keep in mind that we are still missing forecast data from six SPs (actually one more just came in today, and it won't have significant impact on the numbers attached), but it may be worth noting that none of those SPs has an NXX in the Portland RC.

If you have any questions or would like me to do additional calculation on the data, please feel free to give me a call.

Finally, does BellSouth object to the sharing of this file (or a similar File with up to date data) with the industry? It does de facto identify where and how many and what type of blocks BellSouth is donating.

Adam

Telcordia Center for Number Pooling Administration (TCNPA)  
www.telcordia.com/tcnpa  
tcnpa@telcordia.com  
1-866-NUM-POOL

Adam Newman  
Senior Pooling Administrator  
331 Newman Springs Road, NVC 3d204  
Red Bank, NJ 07701  
Office: (732) 758-4962  
Fax: (732) 758-4962  
Mobile: (732) 213-4797

(See attached file: bellsouth plan.pdf)  
<<Adobe Portable Document>>

**EXHIBIT "D"**

From: Thorson, John  
Sent: Wednesday, November 08, 2000 9:43 AM  
To: 'brenda.davidson1@bridge.bellsouth.com'  
Cc: Cassady, Jim; VerMeulen, Dirk; Brady, Nick; Ciupik, Jay  
Subject: LNP Number Pooling Availability on the DCO

Brenda,

This letter is to advise BellSouth of the availability of the LNP Number Pooling feature (003183) on the Siemens DCO switching platform. The optional LNP Number Pooling feature is currently under development and will be available part of our Release 23 software package. The target General Availability for Release 23 is in the November 2001 time frame.

Many thanks for your interest in Siemens products.

John Thorson  
Sr. Product Manager  
Siemens Carrier Networks  
(407) 942-5345

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Siemens  
Paul A. Schmitz  
Account Executive  
Siemens Information and Communication Networks, Inc.  
Atlanta, GA

Phone: 770-303-5208  
Mobile: 404-502-4252  
Fax: 770-303-5212

**EXHIBIT "E"**

Vicki,

I apologize for the delay in getting a response to you regarding the status of any 1A ESS development to support Number Pooling. As we've discussed, Lucent's 1A development resources are now limited to federal mandates only. The cost of any development at this point will be extremely costly and will not be very timely because Lucent would have to pull development resources with 1A ESS background from existing efforts that have been contractually committed.

For example over the last five years, the FCC and FBI looked at the option of 1A ESS development and chose to exclude the 1A ESS from the CALEA mandate. It would be tremendously costly and would benefit a small and quickly eroding portion of the U.S. telecommunications networks. Lucent will be ending support of the 1A ESS switches in 4Q03, and almost all 1A ESS switches have plans for replacement prior to that timeframe. With the 1A ESS switches representing such a small portion of BellSouth's FL network, there would be minimal benefit derived by "mining" numbers for Number Pooling from FL's 1As.

In many non-regulatory cases, alternatives such as 5ESS overlays or caps into a 1A ESS switch's serving area have been used to eliminate 1A ESS development for specific features.

If I receive any additional information from Lucent's Number Pooling Product Manager who will be back in the office tomorrow, I will immediately send it to you.

Sincerely,

Becky H. Scheinert  
Account Manager  
Lucent Technologies  
bscheinert@lucent.com  
205-560-2144



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**EXHIBIT "F"**

**STATE OF ILLINOIS**  
**ILLINOIS COMMERCE COMMISSION**

Lockheed Martin IMS

98-0847

Petition for Approval of NPA Relief  
Plans for the 312, 630, 708 & 773 NPAs.

**INTERIM ORDER**

**I. INTRODUCTION**

This proceeding was initiated when Lockheed Martin IMS ("Lockheed"), the North American Numbering Plan Administrator ("NANPA") acting in its role as the NPA Relief Planner for Illinois, filed a petition on November 13, 1998, requesting the Commission to approve NPA relief plans for the 312, 630, 708 and 773 Numbering Plan Areas. In its Petition, Lockheed requests that the Illinois Commerce Commission (hereinafter "ICC" or "Commission") approve area code relief plans in the form of all-service overlays for the 312, 630, 708 and 773 NPAs. Based on the petition filed by Lockheed, the number of NXX codes in the 312, 630, 708 and 773 NPAs that have been assigned to qualifying telecommunications service providers and the forecasts provided by these same companies of future NXX code requirements, NPA exhaust in the 312, 630, 708 and 773 area codes is imminent.

Petitions to intervene were filed and granted for Illinois Bell Telephone Company, d/b/a Ameritech Illinois ("Ameritech" or Ameritech Illinois); AT&T Communications of Illinois, Inc. ("AT&T"); AT&T Wireless PCS, Inc.; NEXTLINK Illinois, Inc.; MCI/WorldCom, Inc. ("MCI"); Sprint PCS; Sprint Corporation ("Sprint"); Allegiance Telecom of Illinois, Inc. ("Allegiance"); Focal Communications Corporation ("Focal"); Southwestern Bell Mobile Systems, Inc. d/b/a Cellular One Chicago ("Cellular One"); Nextel Communications, Inc. ("Nextel"); 21st Century Telecom of Illinois, Inc.; Ameritech Mobile d/b/a Ameritech Cellular Services; Personal Communications Industry Association; the Citizens Utility Board ("CUB"); the People of Cook County ex rel. Richard A. Devine, State Attorney ("Cook County"); the People of the State of Illinois ex rel. James E. Ryan, Attorney General ("Attorney General"), and ADT Security Services, Inc.. The Commission Staff and the City of Chicago ("City") filed appearances.

At the first prehearing conference on December 18, 1998, CUB, Cook County, the City of Chicago and the Attorney General filed two motions. The first motion was to expand the docket to include a consideration of the Service Control Point ("SCP") capacity issue. This motion ultimately was denied by the Examiner as being unnecessary. The second motion requested the issuance of a subpoena by the Commission to all NXX code holders in the 630, 708, 312 and 773 NPAs. The subpoena would require each code holder to provide fill rate information and number forecast information by thousand block at quarterly intervals pending the resolution of the docket. The information would be produced pursuant to a protective order. This motion ultimately was granted in modified format and the subpoenas were issued.

At the second prehearing conference on January 12, 1999, the parties agreed to bifurcate the proceeding. An initial round of testimony would be filed limited to the issue of the type of area code relief plans that should be adopted if area code relief were needed in the 630, 708, 312 and 773 NPAs..

Patricia Fleck, a Regulatory Director at Ameritech Illinois, submitted testimony which, excluding MCI, reflected general industry consensus. She recommended the all service overlay approach rather than geographic splits for these NPAs for several reasons: (1) an all service overlay is a more flexible plan that can be implemented on shorter notice than a geographic split, thereby providing more opportunity for number conservation and number pooling to delay exhaust; (2) it provides a better solution for customers because no number changes are required and communities of interest are not divided by new area code boundaries, and (3) it provides a more efficient utilization of numbers. Ameritech Illinois Ex. 1.0, pp.8-12 (Fleck).

Ms. Fleck recommended separate overlay codes for each of the 630 and 708 NPAs. These NPAs serve discrete suburban communities in generally recognized geographic regions. By adding a separate overlay NPA for each region, the geographic association of these suburban communities with discrete area codes is preserved. Ms. Fleck recommended a single overlay code for both the 312 and 773 NPAs, however, because these NPAs serve a single community, Chicago. A common overlay code will reinforce communities of interest within the City. Ms. Fleck further stated that it would be inappropriate to add a separate overlay code for the 312 NPA because it serves such a small geographic area. *Id.* pp. 3-4.

In addition to Ms. Fleck, Rhea Kwon on behalf of Allegiance and Daniel Meldazis on behalf of Focal filed direct testimony in support of the all service overlay proposal. Allegiance Ex. 1.0 (Kwon) and Focal Ex. 1.0 (Meldazis).

At a hearing on February 17, 1999, all the testimony was admitted into evidence after cross-examination. Two additional Ameritech exhibits were admitted without objection. Ameritech Illinois Ex. 2.0 was the Report of the Number Administrator on the 847 Exhaust dated February 1, 1999. Ameritech Illinois Ex. 3.0 was the Report of the Number Administrator in Compliance with the Commission's Order in ICC Docket No. 98-0497 dated February 12, 1999.

Agreement has been reached on the primary issues raised by the Petition: the form of area code relief and the timing of its implementation. At the evidentiary hearing held in this docket on April 15, 1999, the parties stipulated on the record to agreement with the form of area code relief being proposed by Lockheed. In addition, with regard to the timing of implementation of the overlays, the parties agreed that the procedure set forth by the Commission with regard to the 847 NPA should be implemented in the instant case.

What remains contested in this proceeding are two issues, one substantive and the other procedural. The substantive issue relates to whether and when number pooling should be extended to the 312, 630, 708 and 773 NPAs. The procedural issue is whether the next order issued by the Commission in this case should be a final or interim order.

A Hearing Examiner's Proposed Interim Order was served upon the parties. Exceptions and Reply Exceptions were filed thereto. Where necessary, this Order reflects changes necessitated by said exceptions.

## **II. AREA CODE RELIEF**

In its Petition, Lockheed identified both geographic split and all service overlay options for these NPAs. With respect to the all service overlays, Lockheed recommended separate overlay codes for each of the 630 and 708 NPAs, based on the rationale articulated by the Commission in its final order in Dockets. 97-0192/97-0211. However, Lockheed recommended a single overlay NPA in Chicago that would overlay the combined area served by the 312 and 773 NPAs because of the community of interest which exists within Chicago and because 312 serves such a small geographic area.

The Commission agrees that the all service overlay relief plans for the 630, 708, 312 and 773 NPAs that are described in Lockheed's petition and that these plans should be implemented in the same manner and on the same terms as the Commission has ordered in Dockets 97-

0192/97-0211 and 98-0497 for the implementation of the 224 overlay NPA in the 847 area. In particular, the number administrator will give the Commission 30 days advance written notice before assignment of the first NXX code from the overlay NPA. The notice will include the activation date for the NXX code. The first NXX code from the overlay NPA will be assigned only after all the NXX codes in the existing NPA have been used, and it will not be activated until at least 90 days after assignment. Mandatory 11-digit local dialing will begin 90 days after the date of assignment of the first NXX code in the overlay NPA.

Approving backup NPA relief on the same terms as in 847 will allow the maximum opportunity for conservation measures and number pooling to delay NPA exhaust and will ensure that NPA relief is not implemented until it is absolutely necessary.

The Commission, therefore, instructs Lockheed to assign the overlay codes, issue the necessary notices and information letters, and take all actions necessary to activate the overlay codes up to the point of assigning the first NXX code. The first NXX code in each overlay NPA would be assigned only upon 30 days advance written notice to the Commission and only after the last NXX code in the existing NPA has been assigned. The first NXX code in the overlay NPA would not be activated until at least 90 days after assignment to allow opportunity for customer education and information.

### III. NUMBER POOLING

Various proposals for staggering the implementation of number pooling were made in testimony. Ameritech witness Brian Baldwin calls for a staggered implementation, with three months between the implementation of pooling for each NPA. Staff witness Harvey Nelson called for pooling to be implemented or ordered by July 28, 1999 for the 630, 312 and 773 NPAs. Activation should occur by October 1, 1999, the beginning of the Y2K "quiet period", with the roll-out of pooling for the 708 NPA coming at the conclusion of that period. ICC Ex. 2.3 at 1. In its initial brief, Staff recommends that pooling also be expanded to the 708 NPA by October 1, 1999.

CUB witness Glynn recommended that number pooling be implemented (and activated) in the 630 NPA by July 1, 1999; in the 312 NPA by August 16, 1999; and in the 773 NPA by October 1, 1999. CUB Ex. 1.0 at 15. He testified that the 708 NPA, the Chicago-area NPA scheduled to exhaust last, should then have pooling extended to it at the end of the stabilization period. Mr. Glynn explained that, realistically, a maximum two-month period of combined preparation, with six weeks between the addition of NPAs, is needed if pooling is going to be extended to the three NPAs most threatened by exhaust. *Id.*

Cook County takes the position that number pooling be expanded to the 312, 630, and 773 NPAs before October 1999 when the Y2K quiet period begins. Cook asserts that Number Pooling should be expanded to NPA 708 immediately following the quiet period. Cook and City each argue that the Commission has already ordered and affirmed its order to implement number pooling in all Chicago area NPAs. Cook and City each contend that the SCP capacity issue is resolved and, therefore, the Commission should now follow through with its two previous orders and expand pooling into the other Chicago area NPAs.

Ameritech Illinois acknowledges the concerns expressed by Sprint, AT&T and MCI regarding the expansion of pooling to additional Chicago area NPAs prior to the adoption of a national architecture and standards. Ameritech states that the expansion will be costly, administratively burdensome and technically difficult. Nevertheless, Ameritech asserts that a methodology for thousand block number pooling has been successfully trailed in the 847 NPA, and it has delayed the exhaust of that NPA.

In its Initial Brief, Ameritech accepted CUB's implementation schedule for number pooling as reasonable. Ameritech has abandoned its requirement for a three-month delay between the implementation of pooling for each NPA.

Ameritech is, however, requesting an exemption from number pooling for its 1AESS switches. Ameritech states that this exemption is necessary because of a technical problem that was discovered during the 847 number pooling trial that cannot be fixed on the 1AESS switches. Ameritech states that the technical problem is that when a telephone number is disconnected by a customer, Ameritech Illinois provides an intercept message on the line informing callers that the number has been disconnected and providing a new number or other information. Ameritech states that if the disconnected number is a number that was obtained from the number pool, however, the intercept message does not activate (because of technical changes made to accommodate pooling).

Ameritech states that the problem cannot be fixed in the 1AESS because the vendor has informed Ameritech Illinois that it will not undertake any new development on the 1AESS switching platform. Ameritech states that the exemption would have minimal impact on number pooling for several reasons. First, Ameritech states that it has only 13 1AESS switches, approximately 5% of its total switches. Second, Ameritech states that these switches serve only two of the affected NPAs. Ten switches serve 773 and two serve 708. One switch serves both 708 and 773. Third, Ameritech asserts that, collectively, there are only 30 NXX-X thousand blocks with 10% or less contamination in the thirteen switches, 11 in 773 and 19 in 708. This number would be reduced by the number of these blocks that Ameritech Illinois would require for its own needs prior to six months after pooling implementation. Thus, according to Ameritech, the number of thousand blocks lost to the number pool as a result of the exemption would be negligible.

Focal supports implementing number pooling in the other Chicago-area NPAs, with the caveat that this should be done on a NPA-by-NPA basis, starting with the 630 and 312 NPAs since these codes appear to be the nearest to exhaust. The 708 and 773 NPAs would then have pooling implemented following the 630 and 312 implementation. Focal asserts that staggered roll-out of pooling would give carriers time to adjust their internal processes and would not overwhelm smaller CLECS, who may be without the personnel and resources to respond to the increased work load that implementing number pooling simultaneously in all four remaining NPAs would bring.

Allegiance supports the implementation of number pooling. Allegiance stresses, however, that the Commission must ensure that new NPAs are added when necessary since pooling is not a form of area code relief and it should not be used as a method of preventing area code relief from being implemented when it is needed.

In their Initial Brief, Sprint contends that SCPs were designed to accommodate only ported numbers, and that the introduction of number pooling throughout the Chicago area would threaten the capacity of their network. Sprint states that carriers receiving downloads of pooled numbers must have adequate capacity in their LNP SCPs to store and access all of the LNP information they receive from NPAC. According to Sprint, these SCPs were designed, however, to accommodate only ported numbers. Sprint further states that the introduction of number pooling greatly increases carriers' SCP capacity needs because each activated block of 1,000 numbers must be stored in the database, even where the numbers have not yet been assigned to customers.

Sprint states that its SCP stores numbers one at a time. According to Sprint, for each activated 1,000 block, Sprint's SCP must have 1,000 blocks of storage capacity. Sprint notes that on February 1, 1999, the Mid-West Region NPAC implemented a software package known as Release 1.4 which allows a list of numbers to be downloaded as one message. Sprint asserts that to store pooled numbers efficiently, carriers receiving the Release 1.4 download would have to have the capability in their LSMS and SCPs to store 1,000 block numbers as a range reflected as one record rather than having to store each number individually. According to Sprint, to take full advantage of this feature, a carrier must have the ability to download each record representing a 1,000 block range from the LSMS for storage in the SCP as one record as opposed to 1,000 individual numbers. To accomplish this task, Sprint states that the carrier must have Efficient

Data Representation ("EDR") software in place as provided by its SCP vendor." Sprint states that its SCP vendor has not released EDR software, and is waiting for national number pooling requirements to be completed.

Sprint contends that for many carriers, it is not cost effective to invest in EDR software for Release 1.4 because North American Numbering Council ("NANC") is in the process of developing a national architecture for number pooling. Sprint states that in all probability, the national architecture will not use Release 1.4, and thus new EDR software will have to be developed and implemented for the national number pooling standards. Sprint argues that it is not cost effective for Sprint Corp. to invest significant funds into development and implementation of EDR software for Release 1.4 when that software will have to be replaced once national pooling standards are in place, which is expected in the very near future.

Sprint maintains that in the near term, the only way for it to increase its SCP capacity is to increase the number of individual records that can be stored by purchasing additional SCP hardware and software. Sprint states that it will have to increase its capacity by an additional 12 million records if additional number pooling is implemented. In support of this assertion, Sprint references and attaches to its Brief Sprint Ex. 5.0 (Revised), a two-page Worksheet that purportedly forecasts LNP/SCP & LSMS Record Capacity by region and month through May of 2000. This additional capacity, according to Sprint, would cost between approximately \$8 to \$12 million. Sprint states that it has not budgeted funds for such an upgrade in 1999, and there is no mechanism in place for Sprint to recover costs incurred to accommodate number pooling.

In addition, Sprint, AT&T and MCI each argue that implementation of number pooling in the four remaining Chicago-area NPAs could cause the Midwest Region Local Number Portability database to fail due to a shortage of SCP capacity on one carrier's part, thereby crashing the entire national network for carriers seeking to port numbers. AT&T and MCI each assert that although they do not have SCP capacity problems, it is important to note that the problems of even one carrier can crash the entire network.

MCI argues that the fact that other carriers may encounter SCP capacity problems if the pooling trial is expanded requires an analysis using standardized assumptions prior to expansion. According to MCI, such an analysis would minimize the possibility that an expanded pooling trial could negatively impact network reliability. As part of its analysis, MCI asserts that the Number Pooling Subcommittee should consider the SCP capacity of all local carriers operating in the 312, 630, 708 and 773 NPAs, as well as other carriers who receive data from the Midwest Number Portability Administration Center ("NPAC"). MCI contends that only after considering the carriers' SCP capacity should the Subcommittee determine whether or not expanding the 847 number pooling trial will adversely impact network reliability.

AT&T also argues that there will be differences between the Illinois pooling architecture and yet-to-be-established national pooling architecture. AT&T Brief at 1-2. AT&T argues that the Illinois Pooling Architecture is based on NPAC Release 1.4. AT&T contends that all evidence indicates that the National Pooling Architecture will be based on NPAC Release 3.0. AT&T asserts that there is absolutely no evidence to indicate that Release 1.4 will serve as the foundation for the National Architecture. As proof, AT&T cites the fact that although Release 1.4 has been operational since late 1998 and went "live" in February 1999, only the Midwest Limited Liability Corporation ("LLC") has adopted it. AT&T notes that number exhaust is a problem in a number of areas nationwide. AT&T maintains that this indicates that Release 1.4 is being ignored because it clearly will play no part in the National Pooling Architecture.

AT&T further argues that because the Illinois and National Architectures necessarily will be different, all carriers participating in Illinois number pooling trials will be required, at some point, to migrate to the National Architecture. According to AT&T, this migration is mandated by the FCC. AT&T argues that the mandatory migration will entail significant costs and risks. For example, AT&T refers to significant OSS changes that would have to be made. AT&T states that

it has not made those changes in conjunction with the 847 pooling trial because it has been feasible to rely on manual interfaces. AT&T argues that expanding the Illinois Pooling Architecture reduces the feasibility of relying on manual interfaces. Accordingly, AT&T states that it and other carriers would have to design and implement OSS changes which would be specific to the Illinois Pooling Architecture.

AT&T also contends that the number administration costs are a problem because there currently is no agreement in place with Lockheed. AT&T notes that Lockheed served as pooling administrator for free in the 847 pooling trial. That trial agreement expires in May 1999, however, and no agreement has been reached as to who the new pooling administrator will be, who will pay them, or how much they will be paid. AT&T also opines that "the costs of migrating from the Illinois Architecture to the Pooling Architecture, like any costs, ultimately are paid by consumers in one form or another." MCI similarly argues that competitive local exchange carriers will have to assume a disproportionate percentage of the costs of number pooling. Sprint likewise suggests that "the Commission cannot reasonably impose these costs on carriers if there is no opportunity for the carriers to recover such costs."

Finally, MCI further argues in its Brief that pooling should not be extended because MCI has concerns that the Illinois Commission's expansion of pooling using the same method as employed for the 847 NPA will perpetuate and exacerbate competitive inequities in the thousand block donation process. MCI argues that requiring CLECs to abide by the same donation rules as Ameritech means that the CLECs will be providing the majority of the numbers to populate the pools. MCI contends that once a block is donated, there is no guarantee that the CLEC will be able to retrieve it later. MCI states that the pooling guidelines state that applications for blocks are supposed to be made to supplement the six-month inventory. Accordingly, MCI argues that this does not allow a carrier to draw from the pool when customers request specific numbers, even if it is from a block previously donated by that same CLEC. MCI argues that this entire process restricts the CLEC in its ability to offer prospective customers similar choices of numbers as the incumbent for new services. MCI argues that the incumbent, because it is largely able to avoid donation apart from newly assigned NXX codes for which little prospective customer interest will exist, has a competitive advantage in offering new service arrangements to customers that will prefer certain numbers.

In addition, MCI contends that Ameritech's request to be exempt from participating in number pooling due to the presence of its IA switches would increase the disparate effect number pooling has on CLECs. MCI asserts that Ameritech requests is not only beyond the scope of this phase of the proceeding, but is also completely disingenuous. MCI argues that while Ameritech contends on the one hand that there need be assurances that all carriers participate in pooling to "maintain competitive parity," while at the same time it asserts that its network should receive treatment not afforded to other carriers. MCI maintains that the guidelines for pooling must apply equally to all in order for there to be competitive parity. Thus, MCI takes the position that at a minimum, to ensure competitive neutrality, the Commission should exempt from an expanded pooling trial, those rate centers in which Ameritech has IA switches.

Both AT&T and Sprint argue that this Commission lacks the jurisdiction and authority to extend the implementation of number pooling to the four remaining Chicago-area NPAs. Sprint rehashes arguments previously rejected by this Commission, as it contends that the authority the FCC conferred upon Illinois to continue its pooling initiative was confined to the 847 pooling "trial" only. Sprint Brief at 4. Nextel and Nextlink, while not specifically objecting to the roll-out of number pooling, states that the Commission should seek FCC approval before further implementation of pooling in the Chicago area.

CUB responds to Sprint's complaint that number pooling requires that each activated block of 1,000 numbers must be stored in the database by stating that since the introduction of Release 1.4 SCP upgrade, numbers do not have to be stored individually in SCPS. CUB further states that whether a carrier chooses to store range records comprising 1,000 pooled numbers in

its SCP is a matter of choice. CUB asserts that the 1.4 NPAC software that was implemented allowed for carriers to depart from storing records individually, and instead use the NPAC pooled data to store records in blocks, thus saving record space.

With regard to the argument that increased capacity demands caused by number pooling will force Sprint to invest in additional SCP capacity at a date earlier than that planned to accommodate number portability, CUB and Cook each reply that Sprint's Worksheet is flawed. CUB asserts that the worksheet that purportedly forecasts LNP/SCP & LSMS Record Capacity by region and month through May of 2000 indicates that pooling has, thus far, only marginally increased the number of SCP database records for carriers. CUB contends that from this table, it can be determined that only 22,000 of the 1,260,197 records in the SCP database were due to pooling or 2% of all of the SCP records for February or March.

CUB also takes exception to Page 1 of the Exhibit which provides predictions for the number of SCP records associated with LNP for the period beginning February 1999 and ending May 2000. CUB criticizes Sprint's use of a growth rate of 17% through June 1999 and 20% through May 2000. CUB states that Sprint used the rate of acceleration in growth not the growth rate. CUB argues that the 20% growth rate cannot be sustained and is unreasonable.

CUB states that Sprint's growth rate assumptions are so inflated that even if Sprint's figures for pooling are removed from their spreadsheet, questions can be raised about Sprint's ability to handle LNP, let alone number pooling. CUB argues that when Sprint's analysis is viewed without the unreliable data for SCP records due to pooling, it shows that increased SCP capacity demand caused by number portability -- not pooling -- will force Sprint to invest in additional capacity at an earlier date than planned.

CUB also responds to the argument that implementation of number pooling in the four remaining Chicago-area NPAs could cause the Midwest Region Local Number Portability database to fail thereby crashing the entire national network for carriers seeking to port numbers. CUB asserts that these comments were thoroughly discredited during cross-examination. CUB notes that when asked about this supposition, AT&T's own witness, Mr. Murphy, admitted that he could not imagine a scenario where a carrier such as AT&T or another CLEC would allow that situation to happen whereby porting would be broken versus making the decision to either expand capacity or develop EDR on an interim basis.

Cook replies to the doomsday claims by indicating that Ameritech, Allegiance, Focal, AT&T and MCI have testified that they do not anticipate an SCP capacity problem in their networks due to expanded number pooling. Cook notes that all parties taking a position on this issue except for AT&T, MCI, and Sprint have urged the Commission to issue an order expanding number pooling into the other Chicago area NPAs. Cook argues that if there was any validity to the "doomsday" scenario, these parties would not have encouraged the Commission to move forward.

Staff asserts that the SCP capacity issue has been adequately addressed in the instant record to the point where it should alleviate the Commission's concerns as expressed in the aforementioned findings. Staff believes there are no substantial SCP capacity problems remaining that might impede the effective implementation of number pooling in the remaining Chicago area NPAs.

CUB also adds that Ameritech witness Baldwin, who co-chairs along with CUB Associate Director Glynn the Number Pooling Subcommittee of the Illinois Number Portability Workshop, testified that his company currently provides LNP query service for carriers that are unable to or choose not to provide their own SCP services, and that Ameritech could continue to provide these services for those companies and any others needing the service after the implementation of number pooling in additional NPAs. Tr. at 241.



In addition, Cook refers to the testimony of Ms. O'Donnell on the issue of SCP capacity:

the quantity of ported numbers was well behind expectations for 1998, totaling less than 100,000 in the Midwest Region as of yearend, for reasons such as problems in converting Interim Number Portability customers to permanent LNP systems, lack of vibrant local exchange competition and the postponement of wireless LNP. (footnote omitted) Consequently, SCPs have "spare" capacity as compared to expectations last year ... This "spare" capacity can carry service providers through initial stages of 1,000 block pooling even if the providers have not implemented EDR changes. This is especially true in light of the decreased projection for demand for blocks seen in the Pooling Administrator's Reports.

Cook contends that the very issue at the heart of this phase of the proceeding, the potential for exhaust of SCP capacity in carrier networks, may be far less an issue than some carriers would have the Commission believe. Cook asserts that while its true that the volume of ported and pooled numbers would undoubtedly increase once

the Commission expands number pooling, the evidence in the record does not indicate that the volumes would be so high that carriers could not accommodate the increase.

As to arguments that there will be differences between the Illinois pooling architecture and yet-to-be-established national pooling architecture, CUB asserts that no entity, including the FCC, has ever suggested that the possibility that Illinois standards may have to be modified upon a final decision by the FCC as to what the national pooling architecture will comprise should serve as a barrier to this Commission's roll-out of number pooling. CUB notes that in carving out an exception for Illinois' number pooling and conservation Order entered in ICC Dockets 97-0192/97-0211 as compared with its guidelines for traditional area code exhaust relief, the FCC stated in its recent Order:

Finally, by requiring that national pooling rules or guidelines mandated by the Commission will supersede whatever guidelines Illinois has in effect for carriers operating within Illinois, we conclude that Illinois has not acted in a manner that undermines efforts by the Commission and the industry to establish a national pooling solution. We acknowledge that Illinois has been at the forefront of developing number pooling as a number conservation measure, and we do not wish to discourage Illinois from continuing the work it has done in this area.

Emphasis Supplied. Citing Memorandum Opinion and Order on Reconsideration, FCC Docket No. 98-224, *In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215 and 717* (NSD File No. L-97-42) and *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996* (FCC Docket No. 96-98) (consolidated), issued September 28, 1998, par. 30 ("FCC's September 28, 1998 Order). CUB states that the FCC could not have been clearer in its endorsement of this Commission's efforts at implementing number pooling in conjunction with traditional area code relief, notwithstanding the fact that national guidelines had yet to be established.

CUB further contends that no decision has been made at the national level specifically rejecting the use of Release 1.4 software within the national number pooling architecture. CUB notes that AT&T failed to list any feature or functionality of the present form of number pooling that will be rendered useless by the national architecture. CUB maintains that while the national standards may upgrade some Illinois standards and perhaps add some additional functionality, the NANC statement clearly indicates the national architecture is being modeled on the Illinois trial, and that any resources expended on pooling in Illinois prior to the implementation of the national standards will not have been wasted.

Furthermore, CUB argues that even if Release 1.4 is ultimately rejected as a technical specification for national number pooling, it appears that a final, national resolution of technical specifications is far off. CUB and Cook cite the testimony of NANC member and Cook County witness O'Donnell, where she states that it could be as long as two years from today before 1,000 block number pooling is implemented on a national basis. Cook County Ex. 2.0 at 5. CUB contends that Illinois cannot afford to wait for yet unspecified action at the national level on number pooling — especially in light of the fact that Illinois' number pooling efforts are serving as the impetus and model for national specifications. CUB asserts that given the FCC's green light to the Illinois Commission to continue its work and implementation of number pooling, AT&T's argument in this regard should be rejected.

Cook also refers the testimony of O'Donnell on cross-examination where she states that "It is entirely possible that the national plan would be identical to the Illinois plan." Tr. at 414. Cook notes that Ameritech witness, Mr. Baldwin as well testified on cross examination by AT&T counsel that: "It is my understanding that Release 1.4 was the base for developing release - - the specifications for release 3.0." Tr. 245.

With respect to AT&T's complaint that significant operations support systems ("OSS") changes would have to be made by it and other unnamed carriers, CUB argues that this too should be dismissed. CUB contends that the Commission is being asked to accept at face value that these changes are overly burdensome without a list or description of the alleged problems. CUB argues that if OSS changes are truly a problem, the question arises as to why they have not been identified or brought to the attention of the Commission prior to now.

CUB also responds to AT&T's argument that no agreement exists as of yet with Lockheed for cost recovery. CUB notes that Lockheed is currently in negotiations with the LLC, the entity that has contracted with Lockheed for number pooling in the 847 NPA, for payment for number pooling services. Tr. 271. CUB stated that an agreement is expected shortly.

With respect to arguments of costs imposed on carriers, CUB contends that the LNP model of cost allocation and recovery can be used for pooling cost issues raised by carriers. CUB notes that LNP was developed and deployed before there was a cost recovery mechanism put into place. Tr. at 353.

Regarding MCI's concerns that concerns that the Commission's expansion of pooling using the same method as employed for the 847 NPA will perpetuate competitive inequities in the thousand block donation process, CUB points to the testimony of CUB witness Glynn. Mr. Glynn testified that the fact that one carrier may have to shoulder a larger weight than another does not make 1,000 block pooling, as practiced in Illinois, inequitable. CUB asserts that pooling in Illinois is combined with number conservation mandates that apply to the incumbent carrier as well as new competitors. CUB notes that pooling and the conservation measures approved by the

ICC reduce the amount of numbers that the incumbent can acquire before an NPA reaches exhaust. This leaves more numbers to be divided among the competitors and other service providers.

### COMMISSION CONCLUSION

In our May 11, 1998 Order in Dockets 97-0192/97-0211, the Commission ordered that number pooling be implemented in all Chicago area NPAs. In our December 16, 1998 Order we specifically ruled that "the Commission is not amending its previous order on the issue of whether number pooling applies to all Chicago Area NPAs." Docket 98-0497 Order at 23. The question of whether the Commission has authority to order number pooling in all Chicago area NPAs was fully debated in exhaustive rounds of briefing in Docket 98-0497.

The issue regarding number pooling before the Commission in the instant docket is whether the SCP capacity issue has been resolved. This issue was raised by certain parties in Dockets 97-0192/97-0211. The question at that point in time was the possible negative impact that number pooling could have on the reliability of the network. In light of these concerns, the Commission refrained from ordering the implementation of number pooling in the 630, 708, 312, and 773 NPAs until the SCP capacity issue could be addressed. The record in this docket indicates that the SCP capacity issue has been resolved.

We are of the opinion that the instant record overwhelmingly supports the position of all of the parties to this docket, except for Sprint, MCI and AT&T, that the SCP capacity issue has been adequately addressed and that there are no substantial SCP capacity problems remaining that might impede the effective implementation of number pooling in the remaining Chicago area NPAs.

The introduction of a new software package known as NPAC Release (1.4) has relieved the problem by enabling carriers to accept data on ported and pooled numbers in ranges instead of individually. Storing numbers in ranges instead of individually reduces the capacity used to store numbers within the SCP database, resulting in increased SCP capacity.

Sprint is the only carrier alleging that it will have an SCP capacity problem if number pooling is expanded. A review of Sprint's basis for this assertion reveals that Sprint has vastly overestimated the growth rates in its calculations in its Exhibit 5.0. Sprint's worksheet is based upon unreliable data and the Commission rejects the conclusions that Sprint reaches using its flawed analysis.

The Commission also rejects arguments that Illinois should wait until a national architecture is established before expanding number pooling. First, the Commission has already ordered the expansion of number pooling to all Chicago area NPAs. As stated above, the SCP issue is the only open issue regarding the expansion of number pooling. Second, the record indicates that this "national architecture" will be based on the Illinois example. Number pooling is delaying the exhaust of the 847 area code. As indicated by Cook witness O'Donnell, it may be two years before a national architecture is established. The Commission is of the opinion that waiting has the effect of rejecting number pooling.

The Commission also rejects arguments regarding the increased costs of implementing number pooling. This is a non-issue because number pooling must be fully developed before the issue of costs can be addressed. There simply is not enough information available to make a decision on cost recovery. The Commission agrees with CUB that the Local Number Portability model of cost allocation and recovery can be used for pooling cost issues raised by carriers. CUB raises a very good point in that LNP was developed and deployed before there was a cost recovery mechanism put into place. Therefore, the Commission concludes that number pooling

shall be expanded in accordance with the time-table set forth herein. The implementation of number pooling according to the time-table is not contingent upon a cost-recovery mechanism first being in place

Finally, the issues that MCI raises regarding the competitive inequities of number pooling are without merit. The Commission's number pooling mandates apply to the incumbent carrier as well as new competitors. The Commission agrees with CUB that pooling and the conservation measures that we have approved reduce the amount of numbers that the incumbent can acquire before an NPA reaches exhaust. Accordingly, this leaves more numbers to be divided among the competitors and other service providers.

In conclusion, number pooling and conservation is clearly working in Illinois. It has significantly extended the exhaust of the 847 NPA. No party in this docket disputes this fact. The Commission is of the opinion that number pooling can also delay the exhaust of other Chicago area NPAs. No technical impediment precludes the expansion of that methodology to other Chicago area NPAs. In these circumstances, where number pooling offers the last viable hope of further delaying NPA exhaust and, thereby, postponing the permanent imposition of mandatory 11-digit local dialing for the Chicago metropolitan area, the Commission is of the opinion that number pooling must be expanded to the other Chicago area NPAs.

Number pooling shall be implemented in the remaining Chicago Area NPAs as outlined in the timetable submitted by CUB witness Glynn. Specifically, implementation and activation of number pooling in the 630 NPA shall occur by July 1, 1999; in the 312 NPA by August 16, 1999; and in the 773 NPA by October 1, 1999. The 708 NPA should then have pooling extended to it at the end of the Y2K stabilization period;

The Commission also grants Ameritech's request for an exemption from number pooling for its 1AESS switches. In light of the fact that the problems outlined by Ameritech cannot be fixed, the Commission has no other choice. We agree with Ameritech that the exemption would have minimal impact on number pooling.

#### IV. PROCEDURAL ISSUE

Ameritech asserts that it is appropriate for the Commission to keep this docket open until approximately October 1, 1999, to monitor the implementation of pooling in the 630, 312 and 773 NPAs. Ameritech contends that one of the issues that must be resolved before pooling can be expanded is how will the pooling administrator be paid. The Midwest LLC is evaluating a proposal from Lockheed that may provide a reasonable interim solution, but no agreement has yet been reached, either among the members of the LLC or with Lockheed. Ameritech further asserts that many details will need to be worked out as part of the number pooling implementation process. Ameritech states that the Commission should remain in a position to respond quickly, if required, to assist the parties in resolving any differences that may arise and to make sure that all carriers are complying in good faith with the pooling orders.

CUB notes that when Lockheed filed its Petition initiating this docket, which requested implementation of traditional area code relief by February 1, 1999, CUB, the Attorney General, the City of Chicago and the Cook County State's Attorney's Office quickly filed a Joint Application for Subpoenas Duces Tecum to initiate the necessary data collection process that would reveal to the Commission the true need for area code relief in the 630, 773, 312 and 708 NPAs. The data, which includes specific telephone number utilization and forecast data for the four NPAs, is now being collected and analyzed by CUB witness Glynn and the Commission Staff pursuant to the Commission-granted subpoenas. CUB states that the Commission should keep this docket open for the following reasons: (1) in order to keep the Commission apprised of carrier compliance with the Commission's prior number pooling and conservation orders; (2) to provide the Commission with a more accurate estimate than that provided by Lockheed as to when traditional area code relief might be needed; and, (3) to provide the Commission with an accurate estimation as to what effect number pooling and conservation will have on inhibiting exhaust, the Commission should keep this docket open and permit Mr. Glynn's, as well as Staff's, testimony to be filed.

Allegiance disputes the that an interim order would leave open an avenue for the Commission to monitor carrier compliance with the conservation and pooling measures as well as a means to enforce previous orders. Allegiance notes that the Commission has the statutory authority to initiate a show cause or investigative proceeding at any time if it believes that a party within its jurisdiction is failing to comply with applicable orders of the Commission. Citing 220 ILCS 5/10-101 and 5/10-108.

Nextel, Focal and AT&T also took the position that the Order resolving pooling issues and approving area code relief should be final and that the record should be closed. Nextel pointed out that Staff and all parties are in agreement that the Commission should approve a process for triggering the activation of the all-service overlay for each NPA which is consistent with the process approved by the Commission for the 847 NPA. One significant benefit of that approach is that it provides for the activation of an overlay NPA at the time that exhaust in the underlying NPA actually occurs, thereby obviating the need to litigate the accuracy of forecasts of NPA exhaust in this docket. Therefore, contrary to arguments made by CUB and Staff, there is no need to keep the docket open to develop an "accurate estimate" of when exhaust will occur.

Nextel, Focal and AT&T also contend that there is no reason to keep this docket open for the purpose of reviewing carrier compliance with measures previously approved by the Commission. Specifically, Nextel asserts that this docket was not initiated as an enforcement proceeding and is not the proper forum to investigate individual carrier compliance with prior Commission Orders. To the contrary, a process for reviewing such carrier compliance outside the context of an open docket was established in the Order In Docket No. 98-0497 open, or to initiate a new proceeding for the purpose of monitoring compliance. Rather, the Order in Docket No. 98-

0497 indicates that if the Commission's Staff determines, based on its review of the quarterly thousand block utilization data, that individual carriers may be in violation of the Commission's requirements, Staff will attempt to "work informally with the carriers to determine if formal proceedings might be needed or if the non-compliance is a result of some statistical anomaly." Order, Docket 98-0497 at p. 10.

Staff believes that an Interim Order may be more appropriate in light of the fact that not all carriers have complied with the *subpoena duces tecum*. Since Staff has not yet been made privy to all the relevant data, it has been unable to conduct a complete analysis regarding the timing of the imminent area code exhaust. Given this, Staff feels the Commission would be best served if the Hearing Examiner were to issue an Interim Order adopting the all services overlay as the appropriate form of relief along with the immediate implementation of number pooling and all associated conservation measures. A Final Order can then subsequently be issued once all subpoenas have been complied with, thereby, allowing Staff the opportunity to complete its analysis of the exhaust situation based on all relevant information and data.

#### COMMISSION CONCLUSION

The Commission reluctantly agrees to leave this docket open for the limited purpose of overseeing number pooling implementation and the issue of parties that have not complied with Commission Orders or subpoenas. There are simply too many issues that remain to be resolved. It is more efficient to continue this docket rather than commencing a new docket. With respect to noncompliance, the Commission requests that Staff issue a report to the Commission within 45 days of the entry of this Order outlining which parties have not complied with this Commission's mandate regarding the return of NXX-X blocks of numbers. Said report shall also outline which parties have not complied with the subpoena issued in this matter. To facilitate Staff's preparation of its report, wireline carriers are directed to identify in their quarterly reports filed pursuant to the Commission's Order in Docket 98-0497 and pursuant to the subpoena issued in this proceeding, which NXX-X blocks have been donated to the number pool or targeted for donation to the number pool in any NPA where pooling has been implemented at the time the quarterly report is provided. Any other party wishing to file report on these issues may do so at the same time. Upon receipt of this information, these reports will be made a part of the record. The Commission will address the issue of enforcement of Commission mandates with its general counsel. This record will only serve as a vehicle for allowing other parties to address this issue and be heard before the Commission.

#### V. FINDINGS AND ORDERING PARAGRAPHS

The Commission, having considered the entire record herein, and being fully advised in the premises thereof, is of the opinion and finds that:

- (1) Lockheed Martin IMS is the North American Numbering Plan Administrator under the North American Numbering Plan;
- (2) the Commission has jurisdiction over Lockheed Martin IMS and the subject matter of this proceeding pursuant to section 10-101 Of the Illinois public Utilities Act;
- (3) the recital of facts and conclusions reached in the prefatory portion of this Order are supported by evidence of record, and are hereby adopted as findings of fact and conclusions of law for the purposes of this Order;
- (4) the evidence presented in this proceeding supports the implementation of number pooling for the 773, 312, 708 and 630 NPAs and that issues relating to SCP capacity issues raised in finding (9) of the Commission's Order in 97-0192/97-0211Cons. have been resolved;

- (5) the evidence presented in this proceeding supports timetable for implementation and activation of number pooling in the 630 NPA by July 15, 1999; in the 312 NPA by August 16, 1999; and in the 773 NPA by October 1, 1999;
- (6) the 708 NPA should then have pooling extended to it at the end of the Y2K stabilization period;



- (7) the evidence presented in this proceeding supports the adoption of the overlay proposal outlined in the Petition of Lockheed Martin as modified herein by this Order;
- (8) Staff, and any other interested party to this docket, shall issue a report to the Commission within 45 days of the entry of this Order outlining which parties have not complied with this Commission's mandate regarding the return of NXX-X blocks of numbers and said report shall also outline which parties have not complied with the subpoena issued in this matter. To facilitate Staff's preparation of its report, wireline carriers are directed to identify in their quarterly reports filed pursuant to the Commission's Order in Docket 98-0497 and pursuant to the subpoena issued in this proceeding, which NXX-X blocks have been donated to the number pool or targeted for donation to the number pool in any NPA where pooling has been implemented at the time the quarterly report is provided
- (9) all objections and motions made in this proceeding, which remain undisposed, should be disposed of consistent with the ultimate conclusions contained in this Order.

IT IS THEREFORE ORDERED that number pooling shall be implemented and activated in the 773, 312, 708 and 630 NPAs.

IT IS FURTHER ORDERED that the timetable for implementation and activation of number pooling in the 630 NPA shall be July 15, 1999; in the 312 NPA by August 16, 1999; and in the 773 NPA by October 1, 1999.

IT IS FURTHER ORDERED that the 708 NPA should then have pooling extended to it at the end of the Y2K stabilization period as defined in this proceeding.

IT IS FURTHER ORDERED that the Petition of Lockheed Martin IMS seeking an all-service overlay for the 630, 708, 312, 773 NPAs is granted as modified herein by this Order.

IT IS FURTHER ORDERED that Staff, and any other interested party to this docket, shall issue a report to the Commission within 45 days of the entry of this Order outlining which parties have not complied with this Commission's mandate regarding the return of NXX-X blocks of numbers and said report shall also outline which parties have not complied with the subpoena issued in this matter. To facilitate Staff's preparation of its report, wireline carriers are directed to identify in their quarterly reports filed pursuant to the Commission's Order in Docket 98-0497 and pursuant to the subpoena issued in this proceeding, which NXX-X blocks have been

donated to the number pool or targeted for donation to the number pool in any NPA where pooling has been implemented at the time the quarterly report is provided.

This Order is not final; it is not subject to the Administrative Review Law.

By Order of the Commission this 30<sup>th</sup> day of June, 1999.

Chairman